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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,298	08/16/2001	William Elton Burky	AUS9-2001-0448US1	3173
35236	7590	06/18/2004	EXAMINER	
SHAFFER & CULBERTSON, L.L.P. 1114 LOST CREEK BLVD. SUITE 420 AUSTIN, TX 78746			NGUYEN, CAO H	
		ART UNIT	PAPER NUMBER	
		2173	4	
DATE MAILED: 06/18/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/931,289	DWOROG ET AL.
	Examiner Cao (Kevin) Nguyen	Art Unit 2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 15 August 2001.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-20 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 2.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kwatinetz et al. (US Patent No. 5,574,840).

Regarding claim 1, Kwatinetz discloses a method of performing an object editing operation in a data processing system having a display for displaying an object and also having a user input arrangement including a pointer control device for providing inputs to control the location of a pointer on the display, the data processing system also having a processing device programmed to receive and respond to inputs entered through the user input arrangement and provide an output for controlling the display, the method including the steps of: (a) receiving an edit function input the user input arrangement, the edit function input defining an edit operation to be performed by the data processing system [..the device comprises an input device and a display component. The input device is for inserting endpoints into displayed text. The display component is for displaying the displayed text and for receiving endpoints. The display component further comprises a determination component, a letter mode selection component, and a word mode selection component; see col. 2, lines 53-67]; (b) identifying a target in response to the edit function input, the target comprising an object appearing on the display as

specified by proximity to the pointer at the time the edit function input is received [..The word mode selection component is for selecting the displayed text between the first endpoint and the second endpoint when the determined mode is word mode; see col. 3, lines 6-22];

(c) determining a state of the target; and (d) applying the edit operation to the target if the state of the target indicates that the edit operation is not currently applied to the target [..In selecting the text, the user selects a character position within the displayed text, the user depresses the mouse button indicating the anchor end, and the user moves the mouse with the mouse button depressed, to select the text. As the text is being selected, the live end is moved to the end of each word indicated by the mouse indicator.; see col. 4, lines].

Regarding claim 2, Kwatinetz discloses wherein the object comprises a text object a the predetermined minimum level of granularity defines the amount of text for the target to be a single word [..In the second text selection mode, the text is selected with a minimum granularity of a word.; see abstract].

Regarding claim 3, Kwatinetz discloses further including the steps of (a) identifying a first target string for the target if the state of the target indicates that the edit operation is currently applied to the target, the first target string comprising a first string of additional object elements which includes the target; (b) determining the state of the first target string; and (c) applying the edit operation to the first target string if the state of the first target string indicates that the edit operation is not currently applied to the first target string (see col. 7, lines 4-28).

Regarding claim 4, Kwatinetz discloses wherein the object comprises text and a predetermined minimum level of granularity defines the amount of text for the target to be a single target word, and wherein the first target string comprises a sentence which includes the target word (see col. 7, lines 29-60).

Regarding claim 5, Kwatinetz discloses (a) identifying a second target string for the target if the state of the first target string indicates that the edit operation is currently applied to the first target string, the second target string comprising a second string of additional object elements which includes the first target string; (b) determining the state of the second target string; and (c) applying the edit operation to the second target string if the state of the second target string indicates that the edit operation is not currently applied to the second target string (see col. 8, lines 14-67).

Regarding claims 6 and 7, Kwatinetz discloses wherein the object comprises text and a predetermined minimum level of granularity defines the amount of text for the target to be a single target word, and wherein the first target string comprises a target sentence which includes the target word, and wherein the second target string comprises a paragraph which includes the target sentence including the step of undoing the edit operation to the target if the state of the target indicates that the edit function is currently applied to the target (see col. 10, lines 28-53).

Regarding claims 8-10, Kwatinetz discloses wherein the step of receiving the edit function input comprises receiving input data from a keyboard associated with the user input arrangement (see figures 3-5).

As claims 11-20 are analyzed as previously discussed with respect to claims 1-10 above.

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is 703-305-3972. The examiner can normally be reached on M-F: 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 703-308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

06/10/04

  
CAO (KEVIN) NGUYEN  
PRIMARY EXAMINER